



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Peled *et al.*

SERIAL NUMBER : 10/767,064

EXAMINER : Not Yet Assigned

FILING DATE : January 29, 2004

ART UNIT : 1642

FOR : EX-VIVO EXPANSION OF HEMATOPHOIETIC STEM CELL POPULATIONS IN  
MONONUCLEAR CELL CULTURES

Office of Initial Patent Examination's  
Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

1. Applicants request a Corrected Filing Receipt for the above-mentioned patent application. Applicants enclose a copy of the Filing Receipt with the corrections noted thereon in red. Issuance of a corrected filing receipt is respectfully requested.

2. There are errors with respect to the following data, which are:

☒ incorrectly entered

*and/or*

☐ omitted.

**Error in**

**Correct data**

- |  |                        |
|--|------------------------|
| 1. <input type="checkbox"/>            | Applicants' name       |
| 2. <input type="checkbox"/>            | Applicants' address    |
| 3. <input type="checkbox"/>            | Title                  |
| 4. <input type="checkbox"/>            | Filing Date            |
| 5. <input type="checkbox"/>            | Serial Number          |
| 6. <input checked="" type="checkbox"/> | Domestic Priority Data |
|  |                        |
| 7. <input checked="" type="checkbox"/> | Foreign Applications   |

This application claims the benefit of  
60/452,545 filed 03/07/2003  
60/404,137 filed 08/19/2002  
60/404,145 filed 08/19/2002  
ISRAEL 152904 filed 11/17/2002  
PCT/IL03/00681 filed 08/17/2003  
PCT/IL03/00064 filed 01/26/2003  
PCT/IL03/00062 filed 01/23/2003

*Error in*

*Correct data*

8. ☐ Other

4. Applicants herewith include a Response to the January 13, 2005 Response to Request for Corrected Filing Receipt describing the priority for the instant application.
5. Applicants submit that the priority information was included with Applicant's Request for Filing a Continuation Patent Application under 37 CFR 1.53(b) and the Preliminary Amendment filed therewith on January 29, 2004.
6. Applicants believe that no fee is due. However, the Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to Deposit Account No. 50-0311, Ref. No. 24024-506CON.

Respectfully submitted,

*Matthew Paras Reg No. 50,572*

*u :*

Ivor R. Elrifi, Reg. No. 39,529  
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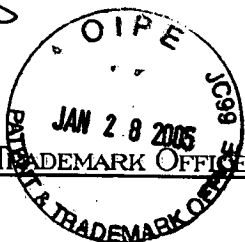
Dated: January 28, 2005

Express Mail Label NO: EV 475171058US  
DATE OF DEPOSIT: 1-28-05

Page 1 of 2



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| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/767,064 | 01/29/2004                | 1642     | 872           | 24024-506       | 2        | 43       | 8        |

30623  
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY  
AND POPEO, P.C.  
ONE FINANCIAL CENTER  
BOSTON, MA 02111

CONFIRMATION NO. 5661  
CORRECTED FILING RECEIPT



\*OC000000014957443\*

Date Mailed: 01/13/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Tony Peled, Mevaseret Zion, ISRAEL;  
Avi Treves, Mevaseret Zion, ISRAEL;  
Oren Rosen, Jerusalem, ISRAEL;

**Power of Attorney:** The patent practitioners associated with Customer Number 30623.

**Domestic Priority data as claimed by applicant**

This appln claims benefit of 60/452,545 03/07/2003, 60/404,137 Filed 8-19-02 and 60/404,145 Filed 8-19-02.

**Foreign Applications**

ISRAEL 152904 11/17/2002  
ISRAEL PCT/IL03/00681 08/17/2003  
ISRAEL PCT/IL03/00064 01/26/2003  
ISRAEL PCT/IL03/00062 01/23/2003

**If Required, Foreign Filing License Granted:** 06/14/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/767,064**

**Projected Publication Date:** 03/10/2005



JAN 18 2005

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

Title

EX-VIVO expansion of hematopoietic system cell populations in mononuclear cell cultures

Preliminary Class

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

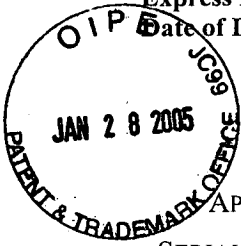
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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**COMMUNICATION**

This communication is in response to the Response to Request for Corrected Filing Receipt mailed on January 13, 2004 in response to Applicants' Request for Corrected Filing Receipt filed on December 28, 2004, in above-identified application.

The Response to Request for Corrected Filing Receipt indicates that the applications to which priority is claimed (60/404,137 and 60/404,145) were filed over a year prior to the filing date of this application (10/767,064). Therefore, the referenced applications (60/404,137 and 60/404,145) cannot be claimed as domestic or foreign priority. Applicants disagree.

The instant application is a continuation application and claims the benefit of, and priority to, PCT/IL03/00681, filed August 17, 2003, under 35 USC § 365(c). PCT/IL03/00681, filed August 17, 2003, properly claims the benefit of, and priority to, the following applications:

PCT/IL03/00064 filed January 26, 2003;

PCT/IL03/00062 filed January 23, 2003;

Israel Patent Application IL152904 filed November 17, 2002;

U.S. Patent Application 60/404,137 filed August 19, 2002;

U.S. Patent Application 60/452,545 filed March 7, 2003; and

U.S. Patent Application 60/404,145 filed August 19, 2002.

Express Mail Label No.: EV 475171058 US  
Date of Deposit: January 28, 2005

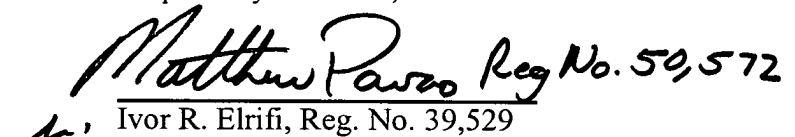
Attorney Docket No. 24024-506CON

As the instant application is a continuation application of PCT/IL03/00681, filed August 17, 2003, which properly claims the benefit of, and priority to, U.S. Patent Application 60/404,137, filed August 19, 2002 and U.S. Patent Application 60/404,145, filed August 19, 2002, Applicants submit the instant application is entitled to claim priority to these applications.

Applicants believe that no fees are due with this filing. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment, to Deposit Account No. 50-0311, Attorney Ref. No. 24024-506 CON.

If there are any questions regarding these references, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

  
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Fax: (617) 542-2241  
Customer No. 30623

Dated: January 28, 2005